



4 February 2016

The Honorable Michael Froman  
United States Trade Representative  
600 17<sup>th</sup> Street, NW  
Washington, DC 20508

Dear Ambassador Froman,

I have the honour to confirm the following understanding reached between representatives of the Government of Malaysia (Malaysia) and the Government of the United States of America (United States) during the negotiations on Chapter 18 (Intellectual Property) of the Trans-Pacific Partnership Agreement (TPP Agreement):

Malaysia and the United States confirm their understanding that from the date of signature of the TPP Agreement until its entry into force for each Party or until they have made their intention clear not to become a Party to the TPP Agreement, each government will refrain from acts which would defeat the object and purpose of the TPP Agreement, including Article 18.36 (International Agreements).

I have the honour to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an agreement between our two Governments, which shall enter into force on the date of your letter in reply.

Sincerely,

**MUSTAPA MOHAMED**  
Minister of International Trade and Industry  
Malaysia

February 4, 2016

The Honorable Mustapa Mohamed  
Minister of International Trade and Industry  
Ministry of International Trade and Industry  
Kuala Lumpur, Malaysia

Dear Minister Mustapa:

I am pleased to acknowledge your letter of this date, which reads as follows:

“I have the honour to confirm the following understanding reached between representatives of the Government of Malaysia (Malaysia) and the Government of the United States of America (United States) during the negotiations on Chapter 18 (Intellectual Property) of the Trans-Pacific Partnership Agreement (TPP Agreement):

Malaysia and the United States confirm their understanding that from the date of signature of the TPP Agreement until its entry into force for each Party or until they have made their intention clear not to become a Party to the TPP Agreement, each government will refrain from acts which would defeat the object and purpose of the TPP Agreement, including Article 18.36 (International Agreements).

I have the honour to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an agreement between our two Governments, which shall enter into force on the date of your letter in reply.”

I have the honor to confirm that my Government shares this understanding, and that your letter and this letter in reply shall constitute an agreement between our two Governments, which shall enter into force on this date.

Sincerely,

Ambassador Michael B.G. Froman